

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EDWARD T. KENNEDY,

Plaintiff,

v.

**EQUIFAX, INC.; RICHARD F. SMITH,
IN HIS OFFICIAL AND INDIVIDUAL
CAPACITIES; AMERICAN BANKERS
INSURANCE COMPANY OF FLORIDA,
A STOCK INSURANCE COMPANY;
BARBARA LOPEZ, IN HER OFFICIAL
AND INDIVIDUAL CAPACITIES; and
STEVEN CRAIG LEMASTERS; IN HIS
OFFICIAL AND INDIVIDUAL
CAPACITIES,**

Defendants.

CIVIL ACTION NO.: 5:18-cv-00214-JLS

**DEFENDANT EQUIFAX INC.'S MOTION TO DISMISS
FOR FAILURE TO STATE A CLAIM**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Equifax Inc. respectfully moves this Court for the entry of an Order dismissing this action on the basis that Plaintiff has failed to state a claim upon which relief can be granted. In support of this Motion, Defendant relies on the attached Brief filed contemporaneously herewith.

Respectfully submitted this 17th day of August, 2018.

s/ Austin Evans

Austin Evans

PA ID No. 201152

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ATTORNEY FOR DEFENDANT

EQUIFAX INC.

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2018, I electronically filed **DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM** with the Clerk of the Court using the CM/ECF system, and I have served a copy on the following by causing a copy of the same to be deposited in the United States Mail, postage prepaid and addressed as follows:

Edward T. Kennedy
401 Tillage Rd.
Breinigsville, PA 18031

s/ Austin Evans
Austin Evans